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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/896,169	06/29/2001	Kevin J. Rogers	7004	7427 .	
75	590 07/14/2004		EXAM	EXAMINER	
Kathryn W. Grant			MCHENRY	MCHENRY, KEVIN L	
The Babcock & Wilcox Company			ART UNIT	PAPER NUMBER	
Patent Dept.			AICI ONII	TATER NUMBER	
20 S. Van Buren Avenue			1725		
Barberton, OH 44203			DATE MAILED: 07/14/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Derise 169							
## Examiner Revin L McHenry Revin L McHenry Mart Unit 1725 The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of them may be available under the provisions of 37 CFR 1.13(ii), in no event, however, may a reply be timely filed or antibody (Mode). His from the maining date of this communication after SLK (p) (MONTHS from the maining date of this communication after SLK (p) (MONTHS from the maining date) with communication after SLK (p) (MONTHS from the maining date) with communication after SLK (p) (MONTHS from the maining date) of this communication after SLK (p) (MONTHS from the maining date of this communication. Failuse to period by within the safe centeral depends for exply with property within the safe centeral depends for exply with property within the safe centeral depends for exply with property or pend of the safe property of the certified copies of the priority documents have been received. Safe the saf		Application No.	Applicant(s)				
Revin L MoHenry 1725		09/896,169	ROGERS ET AL.				
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2a This action is FINAL. 2b This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-17 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The drawing(s) filed on 29 June 2001 is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 29 June 2001 is/are: a) ccepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	Status						
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1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 10/1/01. 4) Interview Summary (PTO-413) Paper No(s)/Mail Date. Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152) Other:	1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No(s)/Mail Da 5) Notice of Informal P	ate	· · · · · · · · · · · · · · · · · · ·			

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Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-7, 9, and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over "2200 MW SCR Installation on New Coal-Fired Project" in view of Schoubye (U.S.P. 6,074,619).

The first reference teaches a flue for a selective catalytic reduction reactor that has an inlet end, an outlet end, and an injection grid for supplying ammonia into a gas flow within the flue. The flue has a perforated plate, flow splitter tabs, and a flow straightener. This reference teaches that flue gas flow and NO_x are measured near the inlet of the catalyst and that this measurement is used to control a valve regulating ammonia flow. (See "2200 MW SCR Installation on New Coal-Fired Project"; p. 3-4; Figure 3).

"2200 MW SCR Installation on New Coal-Fired Project" does not teach that the flue has vanes for dividing gas flow into two or more separate flow channels that end near the reduction reactor.

Schoubye teaches a flue for a selective catalytic reduction reactor that includes vanes for dividing gas flow into two or more separate flow channels that end near the reduction reactor. Schoubye teach that this arrangement with vanes allows one to spray

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larger reductant droplet sizes. (See U.S.P. 6,074,619; column 1, lines 10-16, 62-67; column 2, lines 3-19).

It would have been obvious to one of ordinary skill in the art at the time that the applicant's invention was made to have modified the flue of "2200 MW SCR Installation on New Coal-Fired Project" by the teachings of Schoubye. One would have been motivated to do so in order to allow the spray of larger reductant droplets, as taught by Schoubye.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over "2200 MW SCR Installation on New Coal-Fired Project" in view of Schoubye (U.S.P. 6,074,619) as applied to claims 1-7, 9, and 11-17 above, and further in view of Gallagher et al. (U.S.P. 5,529,093).

The former references teach the flue noted above in section 2. However, these references do not teach the use of a tube bundle.

Gallagher et al. teach a tube bundle that isolates flow meters from disturbances and allows more accurate metering of fluids in pipelines. (See U.S.P. 5,529,093; column 5, lines 31-39).

It would have been obvious to one of ordinary skill in the art at the time that the applicant's invention was made to have modified the flue noted above by the teachings of Gallagher et al. One would have been motivated to do so in order to provide a means that minimizes disturbances in flow and allows more accurate metering of fluids in pipelines, as taught by Gallagher et al.

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4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over "2200 MW SCR Installation on New Coal-Fired Project" in view of Schoubye (U.S.P. 6,074,619) as applied to claims 1-7, 9, and 11-17 above, and further in view of Daw et al. (U.S.P. 5,435,972).

The former references teach the flue noted above in section 2. However, these references do not teach the use of pressure taps.

Daw et al. teaches an apparatus that includes a pressure transducer that is mounted in a pressure tap. (See U.S.P. 5,435,972; column 3, lines 52-58).

It would have been obvious to one of ordinary skill in the art at the time that the applicant's invention was made to have modified the flue described above by the teachings of Daw et al. One would have been motivated to use pressure taps as a means for mounting sensors in the flue, as taught by Daw et al.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goldschmidt et al. (U.S.P. 3,880,597) and Chu et al. (U.S.P. 5,540,897) are cited of interest for illustrating the state of the art in flues.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin L McHenry whose telephone number is (571) 272-1181. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G Dunn can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin McHenry

Kiley Stoner Au 1725 My Stone 7/10/04

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